

## Article - Environment

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§15–610.

(a) If the Department determines that the activities under the mining and reclamation plan and other terms and conditions of the permit fail substantially to achieve the purposes and requirements of this subtitle, the Department shall give the operator written notice of:

(1) The Department's determination;

(2) The Department's intention to modify the mining and reclamation plan and other terms and conditions of the permit in a stated manner; and

(3) The operator's right to a hearing on the proposed modification at a stated time and place.

(b) The hearing shall be held within 60 days after written notice is forwarded to the operator. After the hearing, the Department may modify the mining and reclamation plan and other terms and conditions of the permit in the manner stated in the notice or in another manner it considers reasonably appropriate in view of the evidence submitted at the hearing. Refusal of the operator to comply with the conditions set forth in the permit so modified by the Department shall result in the revocation of the permit.

(c) A fee may not be charged to the operator for a departmental modification of the permit.

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